

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JULIO CHAVEZ-LUCATERO,

Defendant.

Case No. 1:20-cr-00062-NONE-SKO-1

ORDER REQUIRING TO COUNSEL TO
SHOW CAUSE WHY SANCTIONS
SHOULD NOT ISSUE FOR FAILURE TO
APPEAR AND REQUIRING
CHRISTOPHER LOETHEN TO APPEAR
ON DECEMBER 28, 2020

DEADLINE: DECEMBER 23, 2020

A Marsden hearing was set before the undersigned in this action on December 18, 2020. At the December 18, 2020 hearing, Attorney Kathy Servatius was present by video for the Government and Defendant Julio Chavez-Lucatero was present by video. However, Defendant's counsel, Christopher Loethen did not appear for the hearing. The Government informed the Court that attempts had been made to reach Mr. Loethen without success. A status hearing re attorney has been set for December 28, 2020, at 2:00 p.m. in Courtroom 8.

The court possesses inherent authority to impose sanctions to manage its own affairs so as to achieve the orderly and expeditious disposition of cases. Chambers v. NASCO, Inc., 501 U.S. 32, 43 (1991). The court's inherent power is that which is necessary to the exercise of all others, including to protect the due and orderly administration of justice and maintain the authority and dignity of the court. Roadway Exp., Inc. v. Piper, 447 U.S. 752, 764 (1980).

1 There is an arsenal of sanctions that a judge can impose to address an attorney's behavior,
2 including monetary sanctions, contempt, and disqualification of counsel and removing counsel as
3 a member of the Eastern District of California. Erickson v. Newmar Corp., 87 F.3d 298, 303
4 (9th Cir. 1996).

5 Accordingly, counsel Christopher Loethen is ORDERED TO SHOW CAUSE in writing
6 on or before **December 23, 2020**, why sanctions should not be issued against him for the failure
7 to appear at the December 18, 2020 hearing and Christopher Loethen SHALL APPEAR at the
8 hearing before Magistrate Judge Barbara A. McAuliffe on **December 28, 2020, at 2:00 p.m. in**
9 **Courtroom 8.**

10 IT IS SO ORDERED.

11 Dated: **December 21, 2020**


UNITED STATES MAGISTRATE JUDGE